

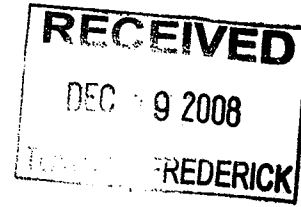
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December 18, 2008



VIA FACSIMILE AND U.S. MAIL

Town of Frederick Planning Department
Attn: Todd Tucker
P.O. Box
401 Locust Street
Frederick, CO 80530

Re: Avocet Subdivision-Minor Subdivision
Luke Stromquist, Applicant
Township 2 North, Range 68 West, 6th P.M.
Section 20 & 21
Frederick, Colorado

Dear Mr. Tucker:

Thank you for taking the time to meet with us on Friday, December 12th. I think we had a good conversation and I look forward to working with you on this project as we near final approval.

As we expressed during the meeting, our objective is to phase the Avocet Subdivision such that all the improvements to the west of WCR5 may be completed immediately (Phase I), and the improvements to the east of WCR5 may be completed at a future date (Phase II). As we discussed, there are two conditions set forth in Ordinance No. 951 that are specific to Phase II, and we believe should be addressed at such time that Phase II is built out. Specifically, the conditions set forth in Section 3, Paragraphs 5 and 7, of such ordinance should be delayed until we are ready to proceed with Phase II.

Paragraph 5 refers to the creation of a "mechanism by which the HOA will participate in the costs of connecting to the St. Vrain Sanitation District sanitary sewer system." Since Phase I contains only three lots, this requirement will be exorbitant for the first residents of the development. Phase II consists of 9 lots which can better handle the economic burden of such construction. Therefore, we request that the sanitary sewer requirements be incorporated into the approval process for Phase II of the development.

Additionally, Paragraph 7 pertains to a Storm Water Discharge Agreement with the Godding Dailey and Plumb Ditch Company. Discharge from this ditch occurs entirely on the eastern side of WCR5, and therefore, only affects Phase II of the development. Again, our request is that this requirement be made a condition of Phase II so we can move forward immediately with final approval of Phase I of the development.



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Thank you in advance for your consideration of these modifications to the conditions set forth in Ordinance 951. Please don't hesitate to contact me if you have questions or comments about this letter.

Sincerely,

Grant, Grant & Goiran LLP

By: 

Brandon C. Shaffer

cc: Mr. Luke Stromquist
Mr. Kent Bruxvoort